

**ASSEMBLY BILL**

**No. 599**

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**Introduced by Assembly Member Hall**

February 25, 2009

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An act to amend Section 100700 of the Health and Safety Code, relating to laboratories.

LEGISLATIVE COUNSEL'S DIGEST

AB 599, as introduced, Hall. Forensic blood alcohol testing laboratories.

Under existing law, the State Department of Public Health regulates laboratories engaged in the performance of forensic alcohol analysis tests by or for law enforcement agencies on blood, urine, tissue, or breath for the purpose of determining the concentration of ethyl alcohol in persons involved in traffic accidents or in traffic violations. Existing law also requires the department to establish a committee for the review of regulations relating to these laboratories with this committee known as the Forensic Alcohol Review Committee.

This bill would exempt from those regulations laboratories that are accredited in the forensic alcohol analysis discipline or subdiscipline by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or by another accrediting body approved by the Forensic Alcohol Review Committee.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 100700 of the Health and Safety Code  
2     is amended to read:  
3     100700. (a) Laboratories engaged in the performance of  
4     forensic alcohol analysis tests by or for law enforcement agencies  
5     on blood, urine, tissue, or breath for the purposes of determining  
6     the concentration of ethyl alcohol in persons involved in traffic  
7     accidents or in traffic violations shall comply with Group 8  
8     (commencing with Section 1215) of Subchapter 1 of Chapter 2 of  
9     Division 1 of Title 17 of the California Code of Regulations, as  
10    they exist on December 31, 2004, until the time when those  
11    regulations are revised pursuant to Section 100703.  
12    (b) Notwithstanding subdivision (a), the department shall not  
13    require laboratories to be licensed.  
14    (c) *Laboratories that are accredited in the forensic alcohol*  
15    *analysis discipline or subdiscipline by the American Society of*  
16    *Crime Laboratory Directors/Laboratory Accreditation Board*  
17    *(ASCLD/LAB) or by another accrediting body approved by the*  
18    *Forensic Alcohol Review Committee established pursuant to*  
19    *Section 100703, shall be exempt from the requirements of this*  
20    *section.*